

IN THE UNITED STATE DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

KEITH STANSELL,
MARC GONSALVES,
THOMAS HOWES,
JUDITH JANIS,
CHRISTOPHER JANIS,
MICHAEL JANIS, and
JONATHAN JANIS,

CASE NO. 1:16-mc-00405-ALC
Judge Andrew L. Carter, Jr.

NOTICE OF MOTION

Plaintiffs,
vs.

REVOLUTIONARY ARMED
FORCES OF COLOMBIA (FARC) et al.,

Defendants.
vs.

EQUINITI TRUST COMPANY,

Turnover Respondent/Garnishee

OFAC blocked assets of:
Banco Bandes Uruguay SA
Banco Bicentenario Banco Universal CA
Banco de Venezuela SA Banco Universal

/

Motion by: All Plaintiffs

Relief Demanded: Turnover of blocked assets owned by BANCO BANDES URUGUAY SA, BANCO BICENTENARIO BANCO UNIVERSAL CA and BANCO DE VENEZUELA SA BANCO UNIVERSAL, which have each been declared an agency or instrumentality of the FARC, that are held and maintained in the United States by EQUINITI TRUST COMPANY, in partial satisfaction of Plaintiffs' Anti-Terrorism Act Judgment

Supporting Papers: 1-14-19 App. FARC World's Largest Cocaine Supplier [DE 15]
Jan. 14, 2019 Appendix Vol. 1 Cartel of the Suns [DE 16]
Dec. 10, 2020 Appendix Vol. 2 Cartel of the Suns [DE 109]
Dec. 10, 2020 Motion, Exhibits and Expert Testimony [DE 110]
Dec. 23, 2020 Supplemental Motion [DE 119]
Jan. 7, 2021 Order [DE 130]
Jan. 15, 2021 Memorandum of Law in Support

Grounds for Relief: Fed. Rule of Civ. P. 69(a);
New York C.P.L.R. §§5230, 5232, 5225, 5227;
Section 201(a) of the Terrorism Risk Insurance Act of 2002
("TRIA"), codified at 28 U.S.C. §1610 note;
Civil remedy provisions of the Anti-Terrorism Act, 18 U.S.C.
§2333(a);
International Emergency Economic Powers Act ("IEEPA"), 50
U.S.C. § 1701 *et seq.*; Executive Order (E.O.) 13850, 13857 and
OFAC's Venezuela Sanctions regulations 31 CFR Part 591

Return Date of Motion: Absent an Order by the Court, and pursuant to S.D.N.Y.
L.R.Civ.P. 6.1(b), opposing papers (if any) shall be filed within 14
days of the filing of this motion. Reply papers (if any) are to be
filed within seven days of after service of opposing papers. NOTE:
to the extent required, the movants herein intend to file and serve
reply papers.

**Date, Time, and Place
of Hearing On Motion:** U.S. District Court for the Southern District of New York
40 Foley Square, New York, NY 10007-1312
Courtroom of the Hon. Andrew L. Carter, Jr.
Date and time of hearing (if any) to be determined by the Court

Respectfully submitted this 15th day of January, 2021,

/s/ Tony Korvick
Tony Korvick, Esq.
(Florida Bar No. 768405)
(Admitted Pro Hac Vice DE 3)
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 15, 2021, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I further certify that I served this Notice of Motion by electronic mail or registered mail to the following persons:

David Becker, Esq.
General Counsel & Chief Compliance Officer
EQUINITI TRUST COMPANY
275 Madison Avenue, 34th Floor
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Email: david.becker@equiniti.com

BANCO BANDES URUGUAY SA
Sarandi 402
11000 Montevideo, Uruguay

BANCO BANDES URUGUAY SA
Zabala 1338
11200 Montevideo, Uruguay

BANCO BICENTENARIO BANCO
UNIVERSAL CA
AV Venezuela El Rosal Caracas
Caracas 1060 Venezuela

BANCO DE VENEZUELA SA BANCO
UNIVERSAL
AV Universidad Esq Sociedad,
Torre Banco de Venezuela Pisa 16,
Caracas 1010A, Venezuela

OFFICE OF FOREIGN ASSETS CONTROL
U.S. Department of the Treasury
1500 Pennsylvania Ave. NW
Washington DC
*Via email to OFAC counsel in compliance with
31 CFR 501.605*

None of the FARC defendants have appeared and defaults were properly entered against them all prior to entry of the Default Judgment. Accordingly, no further notice, service of pleadings, motions or writs is required to be served on the FARC or the individual FARC members identified in the ATA Judgment. Fed. R. Civ. P. 5(a)(2).

/s/ Tony Korvick
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